

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 479

Validation under the Plenary Powers of specific names for nine species of the Class Gastropoda occurring in the New Zealand area as published by Martyn (T.) in 1784 in the work entitled *The Universal Conchologist* (*Opinion* supplementary to *Opinion* 456)

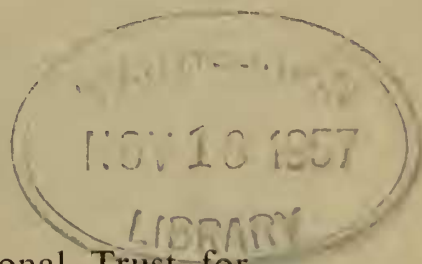
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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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VALIDATION UNDER THE PLENARY POWERS OF
SPECIFIC NAMES FOR NINE SPECIES OF THE CLASS
GASTROPODA OCCURRING IN THE NEW ZEALAND
AREA AS PUBLISHED BY MARTYN (T.) IN 1784
IN THE WORK ENTITLED "THE UNIVERSAL
CONCHOLOGIST" ("OPINION" SUPPLE-
MENTARY TO "OPINION" 456)

RULING :—(1) Under the Plenary Powers the under-mentioned specific names of species of the Class Gastropoda occurring in the New Zealand area are hereby validated as from their publication in 1784 in the work by Marty (T.) entitled *The Universal Conchologist*:—

- (a) *denticulata* Martyn, 1784, as published in the combination [*Patella*] *denticulata* ;
- (b) *granosus* Martyn, 1784, as published in the combination [*Trochus*] *granosus* ;
- (c) *heliotropium* Martyn, 1784, as published in the combination *Trochus heliotropium* ;
- (d) *linea* Martyn, 1784, as published in the combination *Buccin[um] linea* ;
- (e) *maculosum* Martyn, 1784, as published in the combination *Buccin[um] maculosum* ;
- (f) *opalus* Martyn, 1784, as published in the combination [*Limax*] *opalus* ;
- (g) *papulosum* Martyn, 1784, as published in the combination *Buccin[um] papulosum* ;
- (h) *punctulatus* Martyn, 1784, as published in the combination [*Trochus*] *punctulatus* ;
- (i) *vermis* Martyn, 1784, as published in the combination *Buccin[um] vermis*.

(2) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* with the Name Numbers severally specified below :—

- (a) *Alcithoë* Adams (H.) & Adams (A.), [1853] (gender : feminine) (type species, by selection by Cossmann (1899) : *Voluta pacifica* (Solander MS.) Perry, [1810])(Name No. 1204) ;
- (b) *Amphibola* Schumacher, 1817 (gender : feminine) (type species, by monotypy : *Amphibola australis* Schumacher, 1817) (Name No. 1205) ;
- (c) *Astraea* Röding, 1798 (gender : feminine) (type species, by selection by Suter (1913) : *Trochus imperialis* Gmelin (J.F.), [1791]) (Name No. 1206) ;
- (d) *Buccinulum* Deshayes, 1830 (gender : neuter) (type species, by selection by Iredale (1921) from among the nominal species cited by Swainson (1837), the first author to cite such species in connection with this nominal genus : *Murex lineatus* Gmelin (J.F.), [1791]) (Name No. 1207) ;
- (e) *Cantharidus* Montfort, 1810 (gender : masculine) (type species, by original designation : *Trochus iris* Gmelin (J.F.), [1791]) (Name No. 1208) ;
- (f) *Cominella* Gray (J.E.), 1850 (gender : feminine) (type species, by selection by Iredale (1918) : *Buccinum testudineum* Bruguière, [1789]) (Name No. 1209) ;
- (g) *Cookia* Lesson, 1832 (gender : feminine) (type species, by monotypy and through *Declaration 21* : *Turbo sulcatus* Gmelin (J.F.), [1791]) (Name No. 1210) ;
- (h) *Haustrum* Perry, 1811 (gender : neuter) (type species, by selection by Iredale (1915) : *Haustrum zealandicum* Perry, 1811) (Name No. 1211) ;
- (i) *Maurea* Oliver, [20th] December, 1926 (gender : feminine) (type species, by original designation through : *Trochus tigris* Martyn, 1784, under *Declaration 21* : *Trochus tigris* Gmelin (J.F.), [1791]) (Name No. 1212) ;
- (j) *Mauriella* Oliver, 1926 (gender : feminine) (type species, by original designation : [*Trochus*] *punctu-*

latus Martyn, 1784, as validated under the Plenary Powers in (1)(h) above) (Name No. 1213) ;

(k) *Modelia* Gray (J.E.), 1850 (gender : feminine) (type species, by monotypy : [*Trochus*] *granosus* Martyn, 1784, as validated under the Plenary Powers in (1)(b) above) (Name No. 1214) ;

(l) *Paua* Fleming, 1952 (gender : feminine) (type species by original designation and through *Declaration* 21 : *Haliotis iris* Gmelin (J.F.), [1791], as defined by the selection by Fleming and others in Part 1 of Annexe 1 of the paper reproduced in paragraph 9 of the present *Opinion* of the specimen figured by Martyn in 1784 as figure 61 in Volume 2 of *The Universal Conchologist* to be the lectotype of this nominal species) (Name No. 1215) ;

(m) *Pellicaria* Gray (J.E.), 1857 (gender : feminine) (type species, by monotypy : *Buccin[um] vermis* Martyn, 1784, as validated under the Plenary Powers in (1)(i) above) (Name No. 1216) ;

(n) *Struthiolaria* Lamarck, 1816 (gender : feminine) (type species, by monotypy : *Struthiolaria nodulosa* Lamarck, 1816) (Name No. 1217).

(3) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* with the Name Numbers severally specified below :—

(a) *denticulata* Martyn, 1784, as published in the combination [*Patella*] *denticulata*, as validated under the Plenary Powers in (1)(a) above (Name No. 1362) ;

(b) *granosus* Martyn, 1784, as published in the combination [*Trochus*] *granosus* (specific name of type species of *Modelia* Gray (J.E.), 1850) (Name No. 1363) ;

(c) *heliotropium* Martyn, 1784, as published in the combination *Trochus heliotropium*, as validated under the Plenary Powers in (1)(c) above (Name No. 1364) ;

- (d) *linea* Martyn, 1784, as published in the combination *Buccin[um] linea*, as validated under the Plenary Powers in (1)(d) above (Name No. 1365) ;
- (e) *maculosum* Martyn, 1784, as published in the combination *Buccin[um] maculosum*, as validated under the Plenary Powers in (1)(e) above (Name No. 1366) ;
- (f) *opalus* Martyn, 1784, as published in the combination *[Limax] opalus*, as validated under the Plenary Powers in (1)(f) above (Name No. 1367) ;
- (g) *papulosum* Martyn, 1784, as published in the combination *Buccin[um] papulosum*, as validated under the Plenary Powers in (1)(g) above (Name No. 1368) ;
- (h) *punctulatus* Martyn, 1784, as published in the combination *[Trochus] punctulatus*, as validated under the Plenary Powers in (1)(h) above (specific name of type species of *Mauriella* Oliver, 1926) (Name No. 1369) ;
- (i) *vermis* Martyn, 1784, as published in the combination *Buccin[um] vermis*, as validated under the Plenary Powers in (1)(i) above (specific name of type species of *Pellicaria* Gray (J.E.), 1857) (Name No. 1370) ;
- (j) *arabica* Gmelin (J.F.), [1791], as published in the combination *Voluta arabica* (the specific name of a nominal species having as its holotype the specimen figured by Martyn (T.), in 1784 under the name *Buccin[um] arabicum* as figure 52 in Volume 2 of *The Universal Conchologist*) (Name No. 1371) ;
- (k) *canaliculus* Gmelin (J.F.), [1791], as published in the combination *Mytilus canaliculus* (the specific name of a nominal species having as its holotype the specimen figured by Martyn in 1784 under the name *[Mytilus] canaliculus* as figure 78 in Volume 2 of *The Universal Conchologist*) (Name No. 1372) ;

- (l) *crenata* Gmelin (J.F.), [1791] (: 3623), as published in the combination *Helix crenata* (the specific name of a nominal species having as its holotype the specimen figured by Martyn in 1784 under the name [*Helix*] *crenata* as figure 69 in Volume 2 of *The Universal Conchologist*) (the name *crenata* Gmelin as published on the page cited above being a name possessing precedence over the name *crenata* Gmelin published in the same combination on page 3655 of the same work through the "First Reviser" selection made by Fleming and others in Part 2 of Annexe 2 of the paper reproduced in paragraph 9 of the present *Opinion*) (Name No. 1373) ;
- (m) *haustorium* Gmelin (J.F.), [1791], as published in the combination *Buccinum haustorium* (the specific name of a nominal species having as its lectotype the specimen figured by Martyn in 1784 under the name *Buccin[um] haustum* as figure 9 in Volume 1 of *The Universal Conchologist*, the above specimen having been so selected by Fleming and others in Part 2 of Annexe 1 of the paper reproduced in paragraph 9 of the present *Opinion*) (Name No. 1374) ;
- (n) *iris* Gmelin (J.F.), [1791], as published in the combination *Haliotis iris* and as defined by the lectotype selection specified in (2)(1) above (Name No. 1375) ;
- (o) *purpurea* Gmelin (J.F.), [1791], as published in the combination *Helix purpurea* (the specific name of a nominal species having as its holotype the specimen figured by Martyn in 1784 under the name [*Limax*] *purpurata* as figure 68 in Volume 2 of *The Universal Conchologist* (Name No. 1376) ;
- (p) *smaragdus* Gmelin (J.F.), [1791] (: 3602), as published in the combination *Turbo smaragdus* (the specific name of a nominal species having as its holotype the specimen figured by Martyn in 1784 under the name [*Helix*] *smaragdus* as figure 73 in Volume 2

of *The Universal Conchologist*) (the name *smaragdus* Gmelin as published on the page cited above being a name possessing precedence over the name *smaragdus* Gmelin published in the same combination on page 3595 of the same work through the "First Reviser" selection made by Fleming and others in Part 1 of Annexe 2 of the paper reproduced in paragraph 9 of the present *Opinion*) (Name No. 1377) ;

(q) *sulcatus* Gmelin (J.F.), [1791], as published in the combination *Turbo sulcatus* (the specific name of a nominal species having as its holotype the specimen figured by Martyn in 1784 under the name [*Trochus*] *sulcatus* as figure 75 in Volume 1 of *The Universal Conchologist*) (Name No. 1378) ;

(r) *tigris* Gmelin (J.F.), [1791], as published in the combination *Trochus tigris* (the specific name of a nominal species having as its holotype the specimen figured by Martyn in 1784 under the name *Trochus tigris* as figure 75 in Volume 2 of *The Universal Conchologist*) (Name No. 1379).

(4) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name Numbers severally specified below :—

(a) *Astraea* Oken, 1815 (a name published in a work rejected for nomenclatorial purposes by the Ruling given in *Opinion* 417 ; a junior homonym of *Astraea* Röding, 1798) (Name No. 988) ;

(b) *Astraea* Mohnike, 1873 (a junior homonym of *Astraea* Röding, 1798) (Name No. 989) ;

(c) *Astraea* Hartman, 1881 (a junior homonym of *Astraea* Röding, 1798) (Name No. 990) ;

(d) *Comminella* Kittl, 1887 (an Erroneous Subsequent Spelling for *Cominella* Gray, 1850) (Name No. 991) ;

- (e) *Cookia* Silvestri, 1896 (a junior homonym of *Cookia* Lesson, 1832) (Name No. 992) ;
- (f) *Lepsia* Hutton, 1884 (a junior homonym of *Lepsia* Quoy, 1839) (Name No. 993) ;
- (g) *Venustas* Finlay, 10th March 1927 (a junior objective synonym of *Maurea* Oliver, [20th] December 1926) (Name No. 994).

(5) The under-mentioned specific names are hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* with the Name Numbers severally specified below :—

- (a) the under-mentioned specific names published by Martyn (T.), 1784, *The Universal Conchologist*, a work rejected for nomenclatorial purposes by the Ruling given in *Opinion* 456 :—
 - (i) *arabicum* Martyn, 1784, as published in the combination *Buccin[um] arabicum* (Name No. 421) ;
 - (ii) *canaliculus* Martyn, 1784, as published in the combination *[Mytilus] canaliculus* (Name No. 422) ;
 - (iii) *crenata* Martyn, 1784, as published in the combination *[Helix] crenata* (Name No. 423) ;
 - (iv) *haustrum* Martyn, 1784, as published in the combination *Buccin[um] haustum* (Name No. 424) ;
 - (v) *iris* Martyn, 1784, as published in the combination *Haliotis iris* (Name No. 425) ;
 - (vi) *purpurata* Martyn, 1784, as published in the combination *[Limax] purpurata* (Name No. 426) ;
 - (vii) *smaragdus* Martyn, 1784, as published in the combination *[Helix] smaragdus* (Name No. 427) ;

- (viii) *sulcatus* Martyn, 1784, as published in the combination [*Trochus*] *sulcatus* (Name No. 428) ;
- (ix) *tigris* Martin, 1784, as published in the combination *Trochus tigris* (Name No. 429) ;
- (b) *crenata* Gmelin (J.F.), [1791] (: 3655), as published in the combination *Helix crenata* (a name invalid as a junior primary homonym of *crenata* Gmelin (J.F.), [1791] (: 3623), as published in the same combination, through the "First Reviser" selection made by Fleming and others in Part 2 of Annexe 2 of the paper reproduced in paragraph 9 of the present *Opinion*) (Name No. 430) ;
- (c) *pacifica* Solander, 1786, as published in the combination *Voluta pacifica* (a *nomen nudum*) (Name No. 431) ;
- (d) *smaragdus* Gmelin (J.F.), [1791] (: 3595), as published in the combination *Turbo smaragdus* (a name invalid as a junior primary homonym of *smaragdus* Gmelin (J.F.) [1791] (: 3602), as published in the same combination, through the "First Reviser" selection made by Fleming and others in Part 1 of Annexe 2 of the paper reproduced in paragraph 9 of the present *Opinion*) (Name No. 432) ;
- (e) *tigrinum* Gmelin (J.F.), [1791], as published in the combination *Buccinum tigrinum* (a junior objective synonym of *maculosum* Martyn, 1784, as published in the combination *Buccin[um] maculosum*, as validated under the Plenary Powers in (1)(e) above (Name No. 433) ;
- (f) *vernix* Gray (J.E.), 1857, as published in the combination *Pellicaria vernix* (an Erroneous Subsequent Spelling for *vermis* Martyn, 1784, as published in the combination *Buccin[um] vermis*) (Name No. 434).

(6) The under-mentioned family-group names are hereby placed on the *Official List of Family-Group Names in Zoology* with the Name Numbers severally specified below :—

- (a) AMPHIBOLIDAE Adams (H.) & Adams (A.), 1855 (type genus : *Amphibola* Schumacher, 1817) (Name No. 186) ;
- (b) BUCCINULIDAE Finlay, 1928 (type genus : *Buccinulum* Deshayes, 1830) (Name No. 187) ;
- (c) COMINELLIDAE Fischer, 1884 (type genus : *Cominella* Gray (J.E.), 1850) (Name No. 188) ;
- (d) STRUTHIOLARIIDAE Fischer, 1884 (type genus : *Struthiolaria* Lamarck, 1816) (Name No. 189).

1. THE STATEMENT OF THE CASE

On 19th October 1951 five New Zealand zoologists submitted to the International Commission on Zoological Nomenclature an application in which they asked (1) for a Ruling that in the work entitled *The Universal Conchologist* published in 1784 Martyn had not applied the principles of binominal nomenclature as required by Proviso (b) to Article 25 of the *Règles*, and (2) for the validation under the Plenary Powers of the specific names given by Martyn in the above work to eighteen species of the Phylum Mollusca occurring in the New Zealand fauna. The specialists by whom this application was submitted were the following : (i) R. K. Dell (*Dominion Museum, Wellington, New Zealand*) ; (ii) C. A. Fleming (*Geological Survey of New Zealand, Wellington, New Zealand*) ; (iii) C. R. Laws (*Department of Geology, Auckland University College, Auckland, New Zealand*) ; (iv) J. Marwick (*Geological Survey of New Zealand, Wellington, New Zealand*) ; and (v) A. W. B. Powell (*Auckland Institute and Museum, Auckland, New Zealand*). The application so submitted was later expanded in certain respects and in its final form was communicated to the Office of the Commission on 19th May 1952. Later, for the

reasons explained in paragraph 7 below it was decided to deal separately with the two portions of which the foregoing application was composed. The present *Opinion* is concerned only with the proposal that eighteen of the specific names for New Zealand species published by Martyn in the above work should be validated under the Plenary Powers. The portion of the application dealing with the general question of the status under Article 25 of Martyn's work *The Universal Conchologist* (namely paragraphs 2 and 6(1)) are not included in the present *Opinion*, having already been reproduced in *Opinion* 456, the *Opinion* dealing with that aspect of this case. Subject to the foregoing omissions the application submitted in this case was as follows :—

**Proposed use of the Plenary Powers to conserve specific trivial names
of New Zealand Mollusca published in Thomas Martyn's
“ Universal Conchologist ” (1784)**

By

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In the first two volumes of his *Universal Conchologist* published in 1784, Thomas Martyn illustrated and named many South Sea shells

which had been brought back to Europe by officers of exploring vessels (including those of Cook's voyages). Martyn's names have been used for eighty years as the valid specific trivial names of eighteen well-known species of New Zealand Mollusca. Martyn projected a system of binominal nomenclature of his own, differing from the Linnean system, but he never published his system. Modern authors have questioned the availability of Martyn's names under the International Rules of Zoological Nomenclature. The writers, five active students of the systematics of New Zealand Mollusca, apply to the International Commission to use its Plenary Powers to conserve Martyn's specific trivial names for eighteen New Zealand species figured in the *Universal Conchologist*.

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3. Use of Martyn's names for New Zealand Mollusca : Some of Martyn's trivial names were used as valid names or synonyms in the lists of New Zealand Mollusca published by J. E. Gray in his appendices to Yate (*An Account of New Zealand*, 1835) and to Dieffenbach (*Travels in New Zealand*, 1843) and in Hutton's first *Catalogue of the Marine Mollusca of New Zealand* (1873) and their use was firmly established in E. von Marten's *Critical List of Mollusca of New Zealand contained in European Collections* (1873). In the latter work, the eighteen names which are the subject of this application are used either as valid names of the species to which they have been since applied or as synonyms of names subsequently rejected for nomenclatural or taxonomic reasons. Most of the names were used or quoted as synonyms by Hutton in his *Manual of the New Zealand Mollusca* (1880), and all but three in his *Index Faunae Novae Zealandiae* (1904). The three omitted from Hutton's *Index* (*Limax opalus*, *Buccinum arabicum*, *Mytilus canaliculus*) were, however, quoted as synonyms in a list two years later (*anon.*, 1906). Hedley (1906) re-examined the status of names for New Zealand Mollusca in the light of Sherborn's (1902) assessment of dates and regularity of binominal nomenclature in the works of certain eighteenth century writers ; as a result, all the eighteen trivial names which are the subject of this application became accepted names for species of New Zealand Mollusca and have been so used in Suter's *Manual of New Zealand Mollusca* (1913) and in the later reviews and lists of Iredale (1915), Finlay (1927), and Powell (1937 and 1946). No writer during the last thirty years has rejected Martyn's names for New Zealand Mollusca.

4. Desirability of retaining Martyn's names for New Zealand Mollusca : The species named by Martyn include the most characteristic of common New Zealand shells, and rejection of his names would be a setback to the stability of the nomenclature used by many amateur as well as professional conchologists. Thirteen of the species concerned are the type species of genera. Martyn's figures allow his species to be determined without ambiguity.

5. Martyn's names for Australian Mollusca : Martyn's names for Australian Mollusca were accepted by Australian systematists prior to Winckworth's (1929) rejection of the *Universal Conchologist* as non-binominal. Since 1929, some authors have continued to use Martyn's names but others have replaced them by the next available name. The present applicants suggest that Australian systematists should make separate application to the International Commission for the conservation of any names of Martyn, the replacement of which would cause greater confusion than uniformity.

6. Application for the use of the Plenary Powers : In the light of the considerations set forth above and in order to avoid the confusion which would follow the strict application of the normal rules in the present case, the International Commission of Zoological Nomenclature is asked :—

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(2) to use its Plenary Powers to validate each of the eighteen trivial names of New Zealand Mollusca published by Martyn (T.), 1784, in the work referred to in (1) above, which are enumerated in the Annexe attached to the present application ;

(3) to place on the *Official List of Specific Trivial Names in Zoology* the eighteen trivial names, proposed, under (2) above, to be validated under the Plenary Powers.

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ANNEXE

List of specific trivial names published in Martyn (T.), 1784,
 "Universal Conchologist" proposed in the present application
 to be validated under the Plenary Powers

<i>Trivial name proposed to be validated under the Plenary Powers</i>	<i>Combination in which name in Col. (1) was published by Martyn in 1784 or is treated by Dall (1905) as having been so published</i>	<i>Reference to volume and figure in Martyn "Univ. Conch."</i>	<i>Genus in which species is currently placed</i>
(1)	(2)	(3)	(4)
* <i>arabicum</i> Martyn, 1784	<i>Buccin[um] arabicum</i>	2 : fig. 52	<i>Alcithoë</i>
<i>canaliculus</i> Martyn, 1784	[<i>Mytilus</i>] <i>canaliculus</i>	2 : fig. 78	<i>Mytilus</i>
* <i>crenata</i> Martyn, 1784	[<i>Helix</i>] <i>crenata</i>	2 : fig. 69	<i>Amphibola</i>
<i>denticulata</i> Martyn, 1784	[<i>Patella</i>] <i>denticulata</i>	2 : fig. 65	<i>Cellana</i>
* <i>granosus</i> Martyn, 1784	[<i>Trochus</i>] <i>granosus</i>	1 : fig. 37	<i>Modelia</i>
* <i>haustum</i> Martyn, 1784	<i>Buccin[um] haustum</i>	1 : fig. 9	<i>Lepsia</i>
* <i>heliotropium</i> Martyn, <i>iris</i> Martyn, 1784	<i>Trochus heliotropium</i>	1 : fig. 30	<i>Astraea</i>
* <i>linea</i> Martyn, 1784	<i>Haliotis iris</i>	2 : fig. 61	<i>Haliotis</i>
* <i>maculosum</i> Martyn, 1784	<i>Buccin[um] linea</i>	2 : fig. 48	<i>Buccinulum</i>
1784	<i>Buccin[um] maculosum</i>	1 : fig. 8	<i>Cominella</i>
* <i>opalus</i> Martyn, 1784	[<i>Limax</i>] <i>opalus</i>	1 : fig. 24	<i>Cantharidus</i>
* <i>papulosum</i> Martyn, 1784	<i>Buccin[um] papulosum</i>	2 : fig. 54	<i>Struthiolaria</i>
† <i>punctulatus</i> Martyn, 1784	[<i>Trochus</i>] <i>punctulatus</i>	1 : fig. 36	<i>Venustas</i>
<i>purpurata</i> Martyn, 1784	[<i>Limax</i>] <i>purpurata</i>	2 : fig. 68 ²	<i>Cantharidus</i>
<i>smaragdus</i> Martyn, 1784	[<i>Helix</i>] <i>smaragdus</i>	2 : fig. 73	<i>Lunella</i>
* <i>sulcatus</i> Martyn, 1784	[<i>Trochus</i>] <i>sulcatus</i>	1 : fig. 35	<i>Cookia</i>
* <i>tigris</i> Martyn, 1784	<i>Trochus tigris</i>	2 : fig. 75	<i>Venustas</i>
* <i>vermis</i> Martyn, 1784	<i>Buccin[um] vermis</i>	2 : fig. 53	<i>Pellicaria</i>

* The species bearing the names thus marked are the type species of the genera in which they are currently classified.

† The species bearing this name in the type species of *Mauriella* Oliver, 1926, a subjective junior synonym of *Venustas* Finlay, 1926.

Note.—Martyn did not repeat the generic name where a number of species regarded by him as belonging to the same genus follow one another in the explanatory tables. In such cases the names omitted from the tables are given above in parentheses according to the compilation of Dall (1905). These are the names which it is recommended should be treated as being those with which the trivial names in question should be treated as having been published,

II. THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : Upon the receipt in 1951 of the preliminary communication from Dr. Dell and his colleagues on the question of the status of the work *The Universal Conchologist* published by Martyn in 1784 and the associated question of the possible validation under the Plenary Powers of certain of the specific names published in it were registered jointly, being allotted the Registered Number Z.N.(S.) 634. When later, as explained in paragraph 7 below, it was decided to divide the foregoing application into two parts, the portion relating to the possible use of the Plenary Powers to validate certain of the specific names published in the foregoing work was registered separately, being allotted the Registered Number Z.N.(S.) 1053.

3. Publication of the present application : The application relating jointly to the question of the status of Martyn's work *The Universal Conchologist* and to the possible validation of the specific names for certain species published in it was sent to the printer on 22nd June 1952 and was published on 23rd July of the same year in Part 9 of Volume 6 of the *Bulletin of Zoological Nomenclature* (Dell (R.K.) *et al.*, 1952, *Bull. zool. Nomencl.* 6 : 273—277).

4. Issue of Public Notices : Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 23rd July 1952 (a) in Part 9 of Volume 6 of the *Bulletin of Zoological Nomenclature* (the Part in which the application by Dr. Dell and his colleagues was published and (b) to the other prescribed serial publications. In addition such Notice was given also to four general zoological serial publications and to certain specialist serial publications.

5. Extension of the Prescribed Voting Period in the present case : Shortly before the close of the Prescribed Six-Month

Waiting Period following publication in the *Bulletin of Zoological Nomenclature* a request for an extension of that Period was received in the Office of the Commission from a specialist (Dr. Joshua L. Baily, Jr., *San Diego, California, U.S.A.*) who was anxious for further time in which to prepare a statement setting out the objections felt by himself and by certain colleagues to the issue by the Commission of a Ruling that Martyn's work *The Universal Conchologist* did not satisfy the requirements of Proviso (b) to Article 25 of the *Règles*. As the result of correspondence with Dr. Baily the Secretary on 23rd January 1953 executed a Minute directing the extension of the Prescribed Waiting Period in the present case for a period of one year, i.e. until 23rd January 1954.

6. Certain objections received from Harold E. Vokes (then of The Johns Hopkins University, Baltimore, Maryland, U.S.A. and now of the University of Tulane, Department of Geology, New Orleans, Louisiana, U.S.A.): During the Prescribed Waiting Period as extended by the Minute executed by the Secretary on 23rd January 1953 (paragraph 5 above) one communication in regard to the proposed use of the Plenary Powers to validate certain of the specific names as published in Martyn's work *The Universal Conchologist* was received in the Office of the Commission. This was a letter dated 1st April 1954 in which Professor Harold E. Vokes (*then of The Johns Hopkins University, Baltimore, Maryland, U.S.A. and now of the University of Tulane, Department of Geology, New Orleans, Louisiana, U.S.A.*), a Member of the Commission, after indicating his support for the proposal that the work *The Universal Conchologist* of Thomas Martyn should be rejected as not complying with the requirements of Article 25 of the *Règles*, set out a series of objections to the proposal that certain specific names in that work should be validated under the Plenary Powers and asked that the two parts of the application submitted to the Commission in this case should be placed before the Commission separately when the time came for a vote to be taken. The part of Professor Voke's letter containing his criticisms of the portion of the application relating to individual names was as follows:—

A quick review of the Gmelin edition of the *Syst. Naturae* (Ed. 13, vol. 1, pt. 6, the date of which is given in Sherborn's *Index Animalium*,

Pt. I, as 1790, and by Dall, 1907, as 1791) indicates that a number of the specific names in question were adopted by Gmelin in exactly the same form as in Martyn, and others with but minor change, so that for many of the names a refusal of suspension of the *Règles* will require only the change from Martyn to Gmelin as the author of the name concerned. The following names fall in this category :

- (1) *Buccin[um] arabicum* Martyn. *Univ. Conch.* 2 : fig. 52. Type of *Alcithoe* Adams, 1853. (The name *arabicum* does not appear in the original description of the genus.) Gmelin, p. 3461, sp. 144, gives *Voluta arabica* with the sole reference : “ Martyn univ. Conch. 2, t. 52 ”

- (2) [*Mytilus*] *canaliculus* Martyn . . . *Univ. Conch.* 2 : fig. 78. Not a type species. Gmelin, p. 3363, sp. 58, gives *Mytilus canaliculus* with sole reference : “ Martyn. univers. conchol 2. t. 78 ”

- (3) [*Helix*] *crenata* Martyn . . . *Univ. Conch.* 2 : fig. 69. Type of *Amphibola* Schumacher, 1817. Gmelin, p. 3623, sp. 69, gives *Helix crenata* with the sole reference : “ Mart. univ. Conch. 2. t. 67.”

- (4) *Buccin[um] haustum* Martyn . . . *Univ. Conch.* 1 : fig. 9. Type of *Lepsia* Hutton, 1884. (According to Neave there is a prior *Lepsia* Quoy, 1839, in Crustacea.) Gmelin, p. 3498, sp. 175, gives *Buccinum haustorium* with the following references : “ Chemn. Conch. 10. p. 183, t. 152. f. 1449, 1450 ; v. Zorn n. Danz. Abh. I. p. 272. n. 95 ; Martyn Conchol. I. f. 9.”

(The change from *haustum* to *haustorium* should involve no confusion.)

- (5) *Haliotis iris* Martyn . . . *Univ. Conch.* 2 : fig. 61. Fleming 1952 (*Trans. Roy. Soc. N. Zeal.* 80(2) : 230) designated this as type of the subgenus *Paua* Fleming. Gmelin, p. 3691, sp. 19, gives *Haliotis iris* with references : “ Favann. Conchyl. I. p. 585. t. 79. f. D. Orielle de mer de la nouvelle Zelande. Martyn Conchol. 2. t. 61. Iris Ear.”

- (6) [*Limax*] *purpurata* Martyn . . . *Univ. Conch.* 2 : fig. 68². Not a type species. Gmelin, p. 3656, sp. 257, gives *Helix purpurea* with sole reference : “ Martyn univ. Conchol. 2. t. 68. f. med.”

(The change from *purpurata* to *purpurea* should involve no confusion.)

- (7) [*Trochus*] *sulcatus* Martyn . . . *Univ. Conch.* 1 : fig. 53. Type of *Cookia* Lesson, 1832. Gmelin, p. 3592, sp. 112 [sic], gives *Turbo sulcatus* with sole reference : "Martyn. *Univ. Conch.* I. t. 35."
- (8) *Trochus tigris* Martyn . . . *Univ. Conch.* 2 : fig. 75. Type of *Venustas* Finlay, 1926. Gmelin, p. 3585, sp. 128, gives *Trochus tigris* with sole reference : "Martyn *Conchol.* 2. t. 75."

Some uncertainty exists, so far as my few searchings are concerned, with respect to the following name :

- [*Helix*] *smaragdus* Martyn . . . *Univ. Conch.* 2 : fig. 73. Not a type species. Gmelin, p. 2602, sp. 112, gives *Turbo smaragdus* with sole reference : "Martyn *univ. Conchol.* 2. t. 73. 74." "Habitat ad novam Seelandiam."

Unfortunately, however, on page 3595, sp. 30. he gives *Turbo smaragdus* with references : "v. Zorn *Naturf.* 7, p. 157. t. 2. f. A. I. A. 2. *Chemn. Conch.* 5, t. 182. f. 1815. 1816. Habitat ad novam Seelandiam . . ."

I do not have these references at hand and cannot, therefore, compare them. The two descriptions of Gmelin are different, and hence some action may be necessary here for the Martyn *smaragdus* lacks page priority.

However, Harris, 1897, *Cat. Tert. Moll.* in *Dept. of Geol., British Mus. (Nat. Hist.) Pt. I. Australasia*, p. 273, gives *Turbo smaragdus* Martyn with Martyn's reference as first in the synonymy and Gmelin, p. 3595 as second. So it seems quite possible that only one species is involved.

Trochus heliotropium Martyn . . . *Univ. Conch.* 1 : fig. 30. Said to be type of *Astraea*. Gmelin seems to ignore both this name and reference. However, the type of *Astraea* "Bolten" Röding, 1798 (*Mus. Bolt.*, pt. 2, p. 79) is the first species, "*A. imperialis*. Das kayserliche Sonnenhorn. Gmel. *Trochus imperialis* sp. 63. sehr selten. *Chem.* 5, t. 173, 174, f. 1714, 1715." This was designated by Suter, 1913, *Man. New Zealand Moll.* p. 166. This species has long been subjectively identified with Martyn's *Trochus heliotropium*, and as type of *Astraea* is almost always cited : *Trochus imperialis* Gmelin (= *Trochus heliotropium* Martyn).

I can see no grounds for confusion here where both names have been long associated with the species. Furthermore the type species of *Astraea* is not in any danger.

Thus I can see no real confusion arising with respect to 10 of the 18 specific names mentioned by the petitioners. With respect to some of the others the question cannot be settled with reference to the Gmelin work, and I have not had time to search the literature beyond that. Thus with (*Trochus*) *granosus* Martyn . . . *Univ. Conch.* 1 : fig. 37. Type of *Modelia* Gray, 1850. Gmelin does not use the specific name *granosus* in *Trochus*, and so far as I could discover, also gives no reference to the Martyn figure. Hence the specific name may be available for the New Zealand form as of some later author, presumably in the early part of the 19th century, since the term *granosus* does not appear under *Trochus* in "Bolten" Röding, 1798, nor any reference to Martyn's figure. This was the major work that validated specific names that appeared in the decade following the Gmelin volume. The New Zealand students should have a synonymy on this species, which might possibly be subjectively synonymized with one of Gmelin's species.

The situation is almost the same with respect to two other Martyn names which were indicated as "varieties" of other species by Gmelin :

1. *Buccin[um] linea* Martyn . . . *Univ. Conch.* 2 : fig. 48. Type species of *Buccinulu* [sic ! in *Bull. zool. Nomencl.* : 277] probably meaning *Buccinulum* Deshayes. Gmelin, p. 3489, sp. 81, gives the following under *Buccinum glabratum* established on "Mus. Lud. Ulr. 611. n. 266" and a number of other references : "γ Martyn Univ. Conch. 2. t. 48." This clearly does not give a new name for the Martyn form and since Gmelin does not use *linea* for any other species under *Buccinum* it was then still available for a subsequent author's validation in the same sense. The same situation applies with respect to the "Bolten" Röding work.
2. [*Limax*] *opalus* Martyn . . . *Univ. Conch.* 1 : fig. 24. Type of *Cantharidus* Montfort, 1810. Gmelin, p. 3580, sp. 86, gives *Trochus iris* with references to Walch, Zorn, and Chemnitz, then : "β Martyn Univ. Conch. I. t. 24." Neither Gmelin nor "Bolten" Röding recognize a genus *Limax* and neither use *linea*, under *Trochus* at least.

Essentially the same situation exists with regard to two more Martyn names :

1. *Buccin[um] papulosum* Martyn . . . *Univ. Conch.* 2 : fig. 54. Type of *Struthiolaria* Lamarck, 1816 . . . (as *S. nodulosa* Lamarck).
2. *Buccin[um] vermis* Martyn . . . *Univ. Conch.* 2 : fig. 53. Type of *Pellicaria* Gray 1857 . . . (as *vernis* in error).

Gmelin, p. 3542, sp. 55, gives *Murex stramineus* with the following references in his synonymy :

“ Spengl. *Naturf.* 17. t. 2. f. A. B.
 Chemn. *Conch.* 10. t. 160. f. 1520. 1521.
 Favann. *Conch.* t. 79. f. S.
 Martyn *Conch.* 2. f. 53. 54.”

Thus Gmelin has put the two forms together. If, as seems possible the other references refer to one of them, presumably the name *stramineum* would apply to one, with the name of the other yet open. However, I note that Harris, 1897 (*sup. cit.*), p. 219, uses *Struthiolaria papulosa* Martyn with *Murex stramineus* Gmelin as a synonym ; and *Struthiolaria vermis* with *Murex australis* Gmelin in synonymy. *M. australis* Gmelin, p. 3542, sp. 56 has as its sole reference : “ Spengl. *Naturf.* 17, t. 2, f. C. D.” Thus it may be that action should be taken here. I note for example that in the 20 years between 1873 and 1893, the synonymy given by Harris shows *nodulosa* used twice, and *papulosa* four times with *stramineus* apparently not having been used since Gmelin ; similarly *vermis* was used five times during the 20 year period, *australis* twice and *inermis*, an emendation, or error, of Sowerby, once.

Since both of the above are type species, and in the case of *Struthiolaria* of a genus that is widely known as being particularly characteristic of that fauna, I would favor suspension for these two names.

Similarly, there are difficulties that may justify suspension for the following :

1. *Buccin[um] maculosum* Martyn . . . *Univ. Conch.* 1 : fig. 8. Type of *Cominella* Gray, 1850. Gmelin uses the specific name *maculosum* (p. 3476, sp. 22) for “ Lister *Conch.* t. 998, f. 63 ” and gives the apparently new name *Buccinum tigrinum* (p. 3475, sp. 188 [sic]) for “ Martyn *univ. Conchol.* I. t.8.”
2. [*Trochus*] *punctulatus* Martyn . . . *Univ. Conch.* 1 : fig. 36. Type of *Mauriella* Oliver, 1926, a junior synonym of *Venustas* Finlay,

1926. Gmelin (p. 3481, sp. 92) uses the specific name *punctulatus* for "Chemn. *Conch.* 5. t. 162, f. 1529. a.b." said to be from "Marochii." He gives no reference to the Martyn species.

3. [*Patella*] *denticulata* Martyn . . . *Univ. Conch.* 2 : fig. 65. Now referred to the genus *Cellana*, but not a type species.

Gmelin, p. 3703, sp. 54, uses the binomen *Patella denticulata* for "Schroet. *n. Litterat.* 3. p. 64. n. 120." He also has a *Patella deaurata* with the following synonymy :

"Chemn. *Conch.* 10, p. 327. t. 168. f. 1616. a.b. Scutum deauratum.

Martyn *Conchol.* 2. t. 65? *Lepas denticulata*

N. Danz. Abh. I p. 253 t. 3. f. 11. A.B.

Favann. *Conchyl.* I. t. I. f. D. I. et t. 3. f. D.3."

Martyn's species is only questionably referred here.

Since *punctulatus* and *denticulata* are not the types of genera now in use I can see no real need for suspension of the *Règles* in their cases . . . for both names are significant only in a malacological sense, with no widespread textbook, medical or other non-malacological significance.

Hence, with the possible exceptions of the names *linea* and *opalus* for which I have no definitive information, I can see possible grounds for the suspension of the *Règles* for only three (*papulosum*, *vermis*, and *maculosum*) of the eighteen species named by the applicants. [In the revised application now submitted, validation under the Plenary Powers is asked for in respect of only nine of the names included in the original application.]

. . . I am against blanket suspension for all of the [New Zealand] species, for I feel that the evidence fails to show the need of such suspension. Even in the cases of *Struthiolaria papulosum*, *Struthiolaria* (*Pellicaria*) *vermis* and *Cominella maculosum*, failure of suspension would result only in a change of the name of the type species, and would in no sense change the concepts of the genera themselves.

7. Decision to divide into two portions the application relating to the work by Thomas Martyn entitled "The Universal Conchologist" and to the status to be accorded to certain specific names first published in it submitted in the present case : Following

the receipt of the letter from Professor Vokes reproduced in paragraph 6 above extensive correspondence took place between the Secretary and the applicants and this was still in progress at the close of the Prescribed Waiting Period as extended by the Minute executed by the Secretary on 23rd January 1953 (paragraph 5 above). Towards the end of 1955 the preparation by the applicants of a revised application designed to meet, so far as possible, the criticisms advanced by Professor Vokes had reached an advanced stage but it was evident that some little further time would need to elapse before that application would be ready for submission to the Commission, there being a number of difficult matters of relatively secondary importance still requiring elucidation. At this stage the original application was reviewed in the light of subsequent developments by the Secretary, who on 6th December 1955 executed a Minute directing that the portion of the application Z.N.(S.) 634 which had been submitted to the Commission in October 1951 by Dr. R. K. Dell and four other New Zealand specialists be divided into two portions, the first, for which the above Registered Number was retained, being concerned with the nomenclatorial status of the work by Thomas Martyn published in 1784 under the title *The Universal Conchologist*, the second, to which (as explained in paragraph 2 above) the new Registered Number Z.N.(S.) 1053 was then allotted, being concerned with the proposal that certain specific names published in the above work should be validated under the Plenary Powers. As part of the arrangement described above a Voting Paper was thereupon issued to the Commission on the first of the two questions specified above, there appearing no likelihood that further comments would be received from specialists on this part of the case.

8. Revised application submitted in December 1956 : Consultations on miscellaneous outstanding matters continued throughout the greater part of 1956. These were concluded on 4th December of that year when the following revised application relating to the status to be accorded to the specific names of eighteen species of the Class Gastropoda occurring in the New Zealand area first published in 1784 in the work by Thomas Martyn entitled *The Universal Conchologist* was submitted to the

Office of the Commission in substitution for the proposals relating to this subject originally submitted in October 1951 (paragraph 1 of the present *Opinion*) :—

**Revised proposals for the stabilisation of the specific names of
eighteen species of the Class Gastropoda, the names for
which were originally published by Martyn (T.) in
1784 in “The Universal Conchologist”**

By

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and

A. W. B. POWELL

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The present application is in part a revision of, and in part a supplement to, an application for the stabilisation of the names of certain well-known species of New Zealand Gastropoda first published in 1784 by Martyn (T.) in *The Universal Conchologist* which we submitted to the International Commission on Zoological Nomenclature in October 1951 (Reference : Z.N.(S.) 634) and which was published by the International Trust for Zoological Nomenclature in July 1952 (*Bull. zool. Nomencl.* 6 : 273—277).

2. In the foregoing application we examined the question whether in the above work Martyn had consistently applied the principles of binominal nomenclature and concluded that he had not done so. We accordingly asked the Commission to give a Ruling that the above work was not available for nomenclatorial purposes. At the same

time, however, we asked the Commission to validate under its Plenary Powers a selected list of the specific names for New Zealand species published in this work. We realised that it was probably desirable in the interest of nomenclatorial stability that some of the names published in this work for species belonging to other faunas, notably that of Australia, should also be validated, but, as we there explained, we thought it better that we, as New Zealand zoologists, should confine our application to the names for species belonging to the fauna of our own country with which we were specially familiar, leaving it to specialists in other faunas to submit whatever applications they might consider necessary for the preservation of names given by Martyn to species occurring in the faunas of their respective countries.

3. Some months ago Mr. Francis Hemming, Secretary to the International Commission, informed us that, as a matter of procedure, he proposed to recommend to the Commission that it should first take a decision on the question of the availability under the *Règles* of *The Universal Conchologist*, the question of the status of individual names published in this work being left over for consideration in the light of the decision taken on the question of principle involved. We have recently been informed by Mr. Hemming that by a vote recently concluded the Commission has decided that *The Universal Conchologist* is not an available work and that it has refused to validate it under the Plenary Powers.

4. The ground has thus been cleared for the further consideration of our application relating to the names for eighteen New Zealand species which we think it important should be preserved. In this connection we wish to make it clear that our purpose in making that application was solely to prevent the disappearance of well-known names which have been in continuous use for nearly two hundred years for common species of our national fauna. So long as that object can be secured, we do not attach importance to the preservation of Martyn's authorship for those names. Nor do we think that any harm would be done if slight changes were made in the spelling of individual names if thereby the names in question as published by later authors, could be preserved without the use of the Commission's Plenary Powers. We have accordingly re-examined our original proposals from the foregoing point of view. In doing so, we have been greatly assisted by valuable suggestions made by Professor Harold E. Vokes (*then of The Johns Hopkins University, Baltimore, U.S.A. and now of the University of Tulane, Department of Geology, New Orleans, Louisiana, U.S.A.*) in a letter communicated to us by Mr. Hemming.

5. In the light of our re-examination of the problem we have reached the following conclusions in regard to the eighteen names with which we are concerned :—

- (1) In four cases Gmelin (J.F.), the next author after Martyn to deal with the species, used the same name and based his new nominal species exclusively upon Martyn's figures. In these cases it would seem reasonable to accept the names as from Gmelin. The names concerned are : *arabicum* ; *canaliculus* ; *sulcatus* ; *tigris*.
- (2) In the case of one of Martyn's names (*purpurata*) Gmelin, the next author to deal with the species, also based his name exclusively upon Martyn's figures but he changes the form of the name to *purpurea*. We do not think that this change is of importance and we recommend that Gmelin's name for this species be accepted.
- (3) The species to which Martyn gave the specific name *iris* in the combination *Haliotis iris* was next dealt with by Gmelin who also applied the name *iris* to it in the same combination. Gmelin based his nominal species partly upon Martyn's figures and partly upon other previously published figures. Owing to the fact that the name for this species has always been attributed to Martyn, Gmelin's usage has not so far received any attention and no lectotype has been selected for his nominal species *Haliotis iris*. We are of the opinion that the name *iris* might properly be accepted as from Gmelin instead of from Martyn, provided that the specimen figured by Martyn is selected as the lectotype of Gmelin's species. This selection is made in Part 1 of Annexe 1 to the present application.
- (4) The case presented by the name *haustrum* Martyn presents features similar both to that explained in (2) above and to that explained in (3) above. Gmelin, the first later author to deal with this species, (a) changed the spelling of this name to *haustorium* and (b) based his nominal species *Buccinum haustorium* in part only on Martyn's figures, citations from Chemnitz and another author also being made. The change in spelling does not seem to us to be of importance and we are of the opinion that this name can be accepted as from Gmelin without detriment, provided that the specimen figured by Martyn is selected as the lectotype of Gmelin's species. This selection is made in Part 2 of Annexe 1 to the present application.
- (5) In the case of the name *smaragdus* Martyn a rather curious situation is found to exist. Gmelin used this name twice in the combination *Turbo smaragdus*, once for Martyn's species and once (earlier in his book) for another nominal species. As applied to the species figured by Martyn, the name *smaragdus* Gmelin was based exclusively upon Martyn's

figures and would therefore be perfectly acceptable. Gmelin gave New Zealand as the locality for both the species to which he applied the name *smaragdus* and it is possible that we are concerned here with no more than the accidental duplicate publication of a name for a single species. In any case the name *smaragdus* Gmelin as applied to the nominal species for which Gmelin did not cite a reference to Martyn's figures, having been long ignored as a junior homonym of Martyn's name and now being a *nomen dubium*, is not currently in use. For this reason and because the name *smaragdus* Gmelin, as applied to Martyn's species has hitherto been regarded as a junior synonym of the name *smaragdus* Martyn, Gmelin's usages of this specific name have not hitherto been critically examined and the field is therefore clear for the selection under the First Reviser Rule of the Martyn-based *smaragdus* to take precedence over the other name *smaragdus* Gmelin. This selection is made in Part 1 of Annexe 2 of the present application. On this basis the name *smaragdus* Gmelin based exclusively upon Martyn's figures is quite acceptable.

- (6) An exactly similar situation arises in the case of the name *crenata* Martyn. This name, in the combination *Helix crenata*, was published twice by Gmelin in 1791. On one of these occasions—on page 3623—Gmelin based his *crenata* exclusively upon Martyn's figure 67. If this was all that he had done, it would have been perfectly satisfactory and the name *crenata* Gmelin, [1791], with Martyn's specimen as the holotype of the species so named, could have been accepted in place of the name *crenata* Martyn. Unfortunately, Gmelin's other *Helix crenata* (: 3655) based on figures from other works makes this course impossible until, as in the *smaragdus* case, a selection is made under the First Reviser Rule giving precedence to the Martyn-based *crenata* over the other *crenata* published in the same book. This selection is made in Part 2 of Annexe 2 of the present application.
- (7) In the case of the remaining nine names included in our original application no solution on the lines indicated in the preceding sections is practicable, for in each case a change of name would be involved if Martyn's names were not validated by the Commission. In view of the extensive, lengthy and continuous usage of the Martyn names concerned their rejection would cause a highly objectionable break in current practice without conferring any corresponding benefit whatever. In these cases therefore we reaffirm our original proposal that these names should be validated by the Commission under its Plenary Powers. The names in question are : (a) *denticulata* ;

- (b) *granosus* ; (c) *heliotropium* ; (d) *linea* ; (e) *maculosum* ;
(f) *opalus* ; (g) *papulosum* ; (h) *punctulatus* ; (i) *vermis*.

6. The original references for the nine names which we recommend should be validated as from Martyn, 1784, were given in the table annexed to our original application (: 277) and need not be repeated here. The original references for the nine names which in paragraph 5 above we have recommended should be accepted as from Gmelin are given in Annexe 3 to the present paper. These names should now all be placed on the *Official List of Specific Names in Zoology*. The nine Martyn names which it is proposed should be rejected in favour of corresponding later names of Gmelin's should be placed on the *Official Index of Rejected and Invalid Specific Names in Zoology*.

7. Of the eighteen species with which the present application is concerned four (*canaliculus* ; *denticulata* ; *purpurea* ; *smaragdus*) have never been taken as the type species of genera and accordingly do not call for consideration under this head. Of the remaining fourteen species six are the type species of currently recognised genera and eight are subjectively identified with such species. The genera falling in the first of these groups are themselves divisible into two sections, namely Section (1) containing three genera, the type species of which bear names proposed by Martyn recommended in paragraph 5(7) above for validation under the Plenary Powers ; Section (2) containing three genera, the type species of each of which bears a Martyn name which it is not proposed should be validated, it being considered sufficient that the species should continue to bear the same names attributed to Gmelin as from a later date. It must be noted here that the International Commission has recently adopted a *Declaration (Declaration 21) (1956, Ops. Decls. Int. Comm. zool. Nomencl. 12 : i—viii)* under which, where two or more objectively identical nominal species are designated, indicated or selected as the type species of a genus, the action so taken is to be treated as constituting the designation, indication or selection of the oldest of the objectively identical nominal species possessing an otherwise available name. Accordingly, the type species of the genera comprised in Section (2) above are in each case the species bearing the valid names published by Gmelin and not the nominal species bearing the older identical but invalid names published by Martyn. Finally, we have to note that in eight cases (constituting the second of the main groups referred to earlier in the present paragraph) there are currently accepted genera, the type species of which are nominal species subjectively identified with species bearing one or other of the Martyn names dealt with in the present application. Of these Martyn names, five (*heliotropium* ; *linea* ; *maculosum* ; *opalus* ; *papulosum*) are names which we recommend should be validated as from Martyn's book,

while three (*arabicum* ; *crenata* ; *haustorium*) we proposed should be accepted as from the later date on which they were republished by Gmelin.

8. Minor matters to which brief reference must be made arise in connection with two of the nominal genera referred to in the immediately preceding paragraph. The first of these genera is *Alcithoë* Adams (H.) & Adams (A.), (1853), which has as its type species a species (*Voluta pacifica*) which is currently identified with one of the Martyn species (*Buccin[um] arabicum*), the specific name for which it is now proposed should be accepted as from Gmelin ([1791]). The question here is the authorship and date to be attributed to the binomen *Voluta pacifica*. This is discussed in Part 1 of Annexe 4. The second generic name here involved is *Maurea* Oliver, the issue here being the priority of this name in relation to the name *Venustas* Finlay. This question is discussed in a note furnished by one of our number (R. K. Dell) which is reproduced in Part 2 of Annexe 4.

9. Full particulars of the fourteen generic names in question, including in each case (i) the gender attributable to the name ; (ii) the name of the type species of the genus concerned, and (iii) particulars as to how that species became the type species, are given in Part I of Annexe 5 to the present paper. These names should now, we recommend, be placed on the *Official List of Generic Names in Zoology*. In Parts 2 and 3 of the same Annexe we give particulars of certain objectively invalid generic names (Part 2) and specific names (Part 3) involved in the present case. These names should now be placed on the appropriate *Official Index of Rejected and Invalid Names in Zoology*.

10. We are aware that under a Directive given to it by the International Congress of Zoology, the International Commission is required, when placing a generic name on the *Official List of Generic Names in Zoology*, to place on the corresponding *Official List of Family-Group Names* the family-group name based upon that generic name in any case where such a name is currently regarded on taxonomic grounds as being the name of a valid family-group taxon and where there is no older such name available for that taxon. In this connection we give particulars in Part 4 of Annexe 5 of four such family-group names which under the foregoing Directive should now be placed on the *Official List*.

11. The eighteen species dealt with in the present application are all recent species but nine of them occur also as Pleistocene and/or Pliocene fossils. The specific names of these species are :—*iris* (Pleist.) ; *canaliculus* (Plio/Pleist.) ; *sulcata* (Pleist.) ; *papulosum* (Pleist.) ; *heliotropium* (Pleist.) ; *vermis* (Pleist.) ; *arabicum* (Pleist.) ; *crenata* (Pleist.) ; *granosa* (Pleist.).

12. In the light of the considerations set forth in the present application we summarise as follows the recommendations now submitted to the Commission and in doing so desire to stress that the action under the Plenary Powers recommended represents, in our view, the minimum needed to avoid serious disturbances in the nomenclature of species of the New Zealand fauna which have been known by the names now proposed for validation for over one hundred and seventy years. Our recommendations are that the International Commission should :—

(1) use its Plenary Powers to validate the under-mentioned specific names as from 1784 when they were published by Martyn (T.) in the work entitled *The Universal Conchologist* :—

(a) *denticulata* Martyn, 1784, as published in the combination
[*Patella*] *denticulata* ;

(b) *granosus* Martyn, 1784, as published in the combination
[*Trochus*] *granosus* ;

(c) *heliotropium* Martyn, 1784, as published in the combination
Trochus heliotropium ;

(d) *linea* Martyn, 1784, as published in the combination
Buccin[um] linea ;

(e) *maculosum* Martyn, 1784, as published in the combination
Buccin[um] maculosum ;

(f) *opalus* Martyn, 1784, as published in the combination
[*limax*] *opalus* ;

(g) *papulosum* Martyn, 1784, as published in the combination
Buccin[um] papulosum ;

(h) *punctulatus* Martyn, 1784, as published in the combination
[*Trochus*] *punctulatus* ;

(i) *vermis* Martyn, 1784, as published in the combination
Buccin[um] vermis ;

(2) place upon the *Official List of Generic Names in Zoology* the fourteen generic names enumerated in Part 1 of Annexe 5 to the present application with the particulars there specified ;

(3) place the under-mentioned specific names on the *Official List of Specific Names in Zoology* :—

(a) the nine specific-names enumerated in (1) above, as there proposed to be validated under the Plenary Powers ;

- (b) the nine specific names published by Gmelin (J.F.) in 1791 enumerated in Annexe 3 to the present application with the particulars there specified ;
- (4) place on the *Official Index of Rejected and Invalid Generic Names in Zoology* the seven generic names enumerated in Part 2 of Annexe 5 to the present application ;
- (5) place on the *Official Index of Rejected and Invalid Specific Names in Zoology* the fourteen names enumerated in Part 3 of Annexe 5 to the present application ;
- (6) place on the *Official List of Family-group Names in Zoology* the four family-group names enumerated in Part 4 of Annexe 5 to the present application.

ANNEXE 1

Selection of lectotypes for two nominal species of the Class Gastropoda established by Gmelin (J.F.) in 1791

The following selections of lectotypes for two nominal species published by Gmelin (J.F.) in 1791 in Part 6 of volume 1 of the Thirteenth Edition of the *Systema Naturae* of Linnaeus are made to facilitate a decision by the International Commission on Zoological Nomenclature on the application submitted by ourselves for the conservation of the names in question which were first published for the species concerned by Thomas Martyn in 1784 in the work entitled *The Universal Conchologist*.

Part 1 : The nominal species “*Haliotis iris*” Gmelin, [1791]

Haliotis iris Gmelin, [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3691, sp. 19

Gmelin cited references to Chemnitz., *Conch.* 10, p. 317, t. 167, f. 1612, 1613 ; Favann., *Conchyl.* I, p. 585, t. 79, f. D. ; Martyn, *Conchol.* 2, t. 61.

We here select the specimen figured by Martyn, *Universal Conchologist* 2 : fig. 61 to be the lectotype of *Haliotis iris* Gmelin.

**Part 2 : The nominal species “*Buccinum haustorium*”
Gmelin, [1791]**

Buccinum haustorium Gmelin, [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3498, sp. 175

Gmelin cited references to Chemnitz, *Conch.* 10, p. 183, t. 152, f. 1449, 1450 ; v. Zorn, *N. Danz. Abh.* I. p. 272, n. 95 ; Martyn, *Conchol.*, I. f. 9.

We here select the specimen figured by Martyn, *Universal Conchologist* 1 : fig. 9 to be the lectotype of *Buccinum haustorium* Gmelin.

ANNEXE 2

**Two selections under the “First Reviser” Rule for determining
the relative precedence to be accorded to the specific names
comprised in each of two pairs of such names published
by Gmelin (J.F.) in 1791**

**Part 1 : The two nominal species established by Gmelin
in 1791 under the name “*Turbo smaragdus*”**

Turbo smaragdus Gmelin, [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3595, sp. 30

Turbo smaragdus Gmelin, [1791], in Linnaeus, *ibid.* 1(6) : 3602, sp. 112

For the first of the nominal species which Gmelin established under the name *Turbo smaragdus* (i.e. that on page 3595), he cited the two following references :—v. Zorn, *Naturf.* 87, p. 157, t. 2, f. A.1, A.2 ; Chemnitz, *Conch.* 5, t. 182, f. 1815, 1816. For the second of the nominal species to which he gave the above name Gmelin cited only one reference, namely :—Martyn, *Univ. Conchol.* 2, t. 73, 74. Both these nominal species were described as “Habitat ad novam Seelandiam”.

We here make a “first reviser” selection of *Turbo smaragdus* Gmelin, as established on page 3602, species 112, to take precedence over *Turbo smaragdus* Gmelin, as established on page 3595, species 30. Under the above selection the name *Turbo smaragdus* Gmelin, as published on page 3602 becomes an available name, while the name *Turbo smaragdus*, as published on page 3595, becomes a junior primary

homonym of that name. Since Gmelin based his *Turbo smaragdus* on page 3602 exclusively upon Martyn's figures 63, 74, the specimen there figured becomes the holotype of that nominal species.

**Part 2 : The two nominal species established by Gmelin
in 1791 under the name " *Helix crenata* "**

Helix crenata Gmelin, [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3623, sp. 69

Helix crenata Gmelin, [1791], in Linnaeus, *ibid.* 1(6) : 3655, sp. 241

For the first of the nominal species which Gmelin established under the name *Helix crenata* (i.e. that on page 3623), cited only the following single reference :—Mart. *univ. Conch.* 2. t. 67. For the second of the nominal species to which he gave the above name Gmelin cited the following reference :—" *Chemn. conch.* 9. t. 135. f. 1230 "

We here make a " first reviser " selection of *Helix crenata* Gmelin, as established on page 3623, species 69, to take precedence over *Helix crenata* Gmelin, as established on page 3655, species 241. Under the above selection the name *Helix crenata* as published on page 3623 becomes an available name, while the name *Helix crenata* as published on page 3655 becomes a junior primary homonym of that name. Since Gmelin based his *Helix crenata* on page 3623 exclusively upon Martyn's figure 67, the specimen there figured becomes the holotype of that nominal species.

ANNEXE 3

**Nine specific names published by Gmelin in 1791 and based exclusively
upon names published by Martyn (T.) in 1784 in " The Universal
Conchologist " proposed to be accepted in place of Martyn's
names and to be placed on the " Official List of Specific
Names in Zoology "**

arabica Gmelin (J.F.), [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3461, as published in the combination *Voluta arabica* (a nominal species having as its holotype the specimen figured by Martyn in 1784 under the name *Buccin[um] arabicum* as fig. 52 in vol. 2 of *Univ. Conch.*)

canaliculus Gmelin (J.F.), [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3363, as published in the combination *Mytilus canaliculus* (a nominal species having as its holotype the specimen figured by Martyn in 1784 under the name [*Mytilus*] *canaliculus* as fig. 78 in vol. 2 of *Univ. Conch.*)

crenata Gmelin (J.F.), [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3623, as published in the combination *Helix crenata* (a nominal species having as its holotype the specimen figured by Martyn in 1784 under the name [*Helix*] *crenata* as fig. 69 in vol. 2 of *Univ. Conch.*) (the name *crenata* Gmelin (reference as above) being a name possessing precedence over the name *crenata* Gmelin published in the same combination on page 3655 of Gmelin's work through the First Reviser selection made in Part 2 of Annexe 2 of the present paper)

haustorium Gmelin (J.F.), [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3498, as published in the combination *Buccinum haustorium* (a nominal species having as its lectotype the specimen figured by Martyn in 1784 under the name *Buccin[um] haustum* as fig. 9 in vol. 1 of *Univ. Conch.*, the above specimen having been so selected in Annexe 1 of the present application)

iris Gmelin (J.F.), [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3691, as published in the combination *Haliotis iris* (a nominal species having as its lectotype the specimen figured by Martyn in 1784 under the name *Haliotis iris* as fig. 61 in vol. 2 of *Univ. Conch.*, the above specimen having been so selected in Part 1 of Annexe 1 of the present application)

purpurea Gmelin (J.F.), [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3656, as published in the combination *Helix purpurea* (a nominal species having as its holotype the specimen figured by Martyn in 1784 under the name [*Limax*] *purpurata* as fig. 68 in vol. 2 of *Univ. Conch.*)

smaragdus Gmelin (J.F.), [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3602, as published in the combination *Turbo smaragdus* (a nominal species having as its holotype the specimen figured by Martyn in 1784 under the name [*Helix*] *smaragdus* as fig. 73 in vol. 2 of *Univ. Conch.*) (the name *smaragdus* Gmelin (reference as above) being a name possessing precedence over the name *smaragdus* Gmelin published in the same combination on page 3595 of Gmelin's work through the First Reviser selection made in Part 1 of Annexe 2 of the present paper)

sulcatus Gmelin (J.F.), [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3592, as published in the combination *Turbo sulcatus* (a nominal

species having as its holotype the specimen figured by Martyn in 1784 under the name [*Trochus*] *sulcatus* as fig. 35 in vol. 1 of *Univ. Conch.*)

tigris Gmelin (J.F.), [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3585, as published in the combination *Trochus tigris* (a nominal species having as its holotype the specimen figured by Martyn in 1784 under the name *Trochus tigris* as fig. 75 in vol. 2 of *Univ. Conch.*)

ANNEXE 4

Problems arising in connection with two generic names now recommended for addition to the " Official List of Generic Names in Zoology "

Part 1 : Authorship and date attributable to the name (" *Voluta pacifica* ") of the type species of the genus " *Alcithoë* " Adams (H.) and Adams (A.), (1853)

A word of explanation is necessary regarding the authorship and date attributable to the name (*Voluta pacifica*) of the type species of the genus *Alcithoë* Adams (H.) and Adams (A.), (1853), the name of which it is now recommended should be placed on the *Official List of Generic Names in Zoology*.

2. In the original description of *Alcithoë*, no type species was designated or indicated and the species which was later (1899, *Essais Paléont. comp.* 3 : 132) selected as the type species by Cossman was cited simply as *Voluta pacifica* Soland. The binomen *Voluta pacifica* was published by Solander in 1786 (*Cat. Portland Mus.* : 190) but, as so published, it was a *nomen nudum*, all that Solander said of it being : " A very perfect specimen of *Voluta pacifica*, S. brought by Capt. Cook from the *Reef off Endeavour River*, on the *Coast of New Zealand* ".

3. Later the name *Voluta pacifica* was widely employed for the species in question, being so used by Swainson and others, by whom it was commonly attributed to Solander. The first author to publish

the name *Voluta pacifica* with a description and therefore the first author validly to publish this name was Perry who so published it in [1810] (*Arcana* : sign. Q[5], et figs.). When describing this species, which he attributed to Solander, Perry stated that this was a very rare shell “discovered in one of the small islands near New Zealand by that accurate investigator of Nature, Dr. Solander, when employed upon a voyage of discovery by that illustrious circumnavigator, Capt. Cook”.

4. We have been unable ourselves to examine Perry's *Arcana*, of which there is no copy in New Zealand. In order therefore to make sure that the specimens figured by Perry under the name *Voluta pacifica* were in fact referable to the species commonly identified as “*Voluta pacifica* Solander”, we applied for advice to Mr. Guy Wilkins (*Mollusca Section, Department of Zoology, British Museum (Natural History), London*). At the time of the receipt of our enquiry Mr. Wilkins was temporarily absent from the Museum on sick leave and our letter was dealt with on his behalf by Mr. I. C. J. Galbraith of the Mollusca Section. We have now received a letter (dated 3rd January 1957) from Mr. Galbraith stating that he had consulted Dr. L. R. Cox, F.R.S. of the Department of Palaeontology of the Museum, who had very kindly examined Perry's plate of *Voluta pacifica* and that this examination had shown that the specimen figured by Perry under the above name was referable to the same species as that to which in 1784 Martyn had given the name *Buccin[um] arabicum*.

5. The report described above shows that the specimen figured by Perry belongs to the species commonly attributed to Solander under the name *Voluta pacifica*. As Perry was the first author validly to publish this name, it must be attributed to him and not to Solander and must be dated [1810]. So interpreted, the nominal species *Voluta pacifica* Perry, [1810], is the same as *Buccin[um] arabicum* Martyn, 1784. The latter name is now invalid as the result of the acceptance by the International Commission of our proposal that Martyn's work *The Universal Conchologist* should be rejected for nomenclatorial purposes. In our original application we asked that the specific name *arabicum* Martyn, 1784, should be validated by the Commission under its Plenary Powers. In the present application we have not, however, renewed that request, considering that it would be sufficient if the species in question were to be known by the name *arabica* Gmelin, [1791], as published in the combination *Voluta arabica*, that name, which is based exclusively on Martyn's plate of *Buccin[um] arabicum*, being the oldest available name for the species in question. Thus, the name *Voluta pacifica* Perry, [1810] (the name of the type species of *Alcithoë* Adams (H.) & Adams (A.), (1853)) is a junior subjective synonym of *Voluta arabica* Gmelin, [1791].

Part 2 : On the relative priority of the generic names
"Maurea" Oliver and "Venustas" Finlay

By R. K. DELL

(Dominion Museum, Wellington, New Zealand)

Venustas was proposed by Finlay in a large paper devoted to a revision of the systematics of the New Zealand Mollusca (*Trans. N.Z. Inst.* 57 : 320—485). This particular volume was not published in parts, as has been the usual practice since that date, and the date of publication given for the whole volume was 10th March 1927. Finlay's paper has, as part of the preamble, the printed statement "*issued separately, December 23rd 1926*". This date has been accepted as the effective date of publication of all new names published in this particular paper.

2. *Maurea* was published by Oliver in Parts 2 and 3 of Volume 17 of the *Proceedings of the Malacological Society of London*. On the cover of this particular Part the date "December, 1926" was printed. When the volume was completed and a Title Page for the volume published the date of publication of Parts 2 and 3 was given as 30th December 1926. A letter from Dr. L. R. Cox, then Hon. Treasurer of the Society, dated 19th April 1927 to Miss M. Mestayer, is bound into this volume of the *Proceedings* in the Dominion Museum. This letter states that the date of publication for Parts 2 and 3 was 20th December 1926.

3. For some considerable time it was believed incorrectly that *Venustas* Finlay was preoccupied by *Venusta* Boettger, 1877, and by *Venusta* Barrande, 1881. *Maurea* Oliver was therefore used in Checklists and species lists (Powell, *The Shellfish of New Zealand*, 1937 and 1946).

4. In 1950 Dell published a paper on the species of this group in New Zealand (*Dominion Mus. Rec. Zool.* 1 : 39—54). In the course of this work an attempt was made to check the date of publication of Parts 2 and 3 of the *Proc. Malac. Soc* from officers of the Society. No reasons could then be discovered for doubting that the date of publication as printed on the title page of the completed volume, 30th December 1926, was correct and this was accepted. At the same time it was realised that *Venusta* Boettger, 1877, did not invalidate *Venustas* Finlay. No reason was then known for refusing to accept 23rd December 1926 as the effective date of publication of Finlay's paper. Since then the results of the Thirteenth International Congress of Zoology, Paris, 1948, have become available in *Bull. zool. Nomencl.* 4.

These state, p. 219, " a new name is not to be deemed to have been made public in a publication . . . if the only action or actions to make that name public consists of :—(c)(ii) the distribution of *separata* in advance of the appearance of the paper in question in the book or serial, for inclusion in which it was printed ". This seems to cover the above situation very adequately and there can be no doubt that under the Rules the effective date of publication of Finlay's paper must be that on which the whole volume was published, 10th March 1927. *Maurea* Oliver, 1926, will therefore have priority over *Venustas* Finlay, 1927 (both genera are based upon the same type species). This will not cause very much confusion, as *Maurea* was in common use in New Zealand until 1950 and *Venustas* has not appeared in many publications since then. Dell prefers stability to come from strict application of the Rules rather than by arbitrary decision whenever possible and this seems a clear case for strict application of the Rules.

ANNEXE 5

Particulars regarding names proposed to be placed on " Official Lists " and " Official Indexes "

Part 1 : Fourteen generic names proposed to be placed on the " Official List of Generic Names in Zoology "

(Note : Where the original reference for a name has been given in Annexe 3, it is not repeated in the present Annexe.

Alcithoë Adams (H.) & Adams (A.), (1853), *Gen. rec. Moll.* **1** : 164 [nec 102] (gender : feminine) (type species, by selection by Cossman (1899, *Essais Paléont. comp.* **3** : 132) : *Voluta pacifica* (Solander MS) Perry, [1810], *Arcana* : sign. Q[5] & pl.) (a junior subjective synonym of *Voluta arabica* Gmelin (J.F.), [1791])

(Note : For particulars as to the authorship and date attributable to the binomen *Voluta pacifica* see Part 1 of Annexe 4 to the present application.)

Amphibola Schumacher, 1817, *Essai Vers test.* : 58, 190 (gender : feminine) (type species, by monotypy : *Amphibola australis* Schumacher, 1817, *Essai Vers test.* : 190 [Note not for inclusion in the *Official List* : *A. australis* Schumacher, 1817, is a junior subjective synonym of *Helix crenata* Gmelin (J.F.), [1791].])

Astraea Röding, 1798, *Mus. bolten.* (2) : 79 (gender : feminine) (type species, by selection by Suter (1913, *Man. N.Z. Moll.* : 166) : *Trochus imperialis* Gmelin (J.F.), [1791] [a junior subjective synonym of *Trochus heliotropium* Martyn, 1784, as proposed in the present application to be validated under the Plenary Powers])

Buccinulum Deshayes, 1830, *Ency. méth.*, Vers 2(1) : 143 (gender : neuter) (type species, by selection by Iredale (1921, *Proc. malac. Soc. Lond.* 14 : 208) from among the species cited by Swainson (1837, *Cat. foreign Shells Manchester nat. Hist. Soc.* : 81), the first author to cite nominal species for *Buccinulum* Deshayes, 1830 : *Murex lineatus* Gmelin (J.F.), [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3559 (a nominal species having as its type specimen the specimen figured under the same name by Chemnitz, *Conch. Cab.* 10 : fig. 1572) [Note not for inclusion in the *Official List* : The name *M. lineatus* Gmelin [1791], is a junior subjective synonym of *Buccin[um] linea* Martyn, 1784 ; the specific name *linea* Martyn, so published, being a name proposed in the present application for validation under the Plenary Powers.]

Cantharidus Montfort, 1810, *Conchyl. syst. Classif. méth. Coquilles* 2 : 250 (gender : masculine) (type species, by original designation : *Trochus iris* Gmelin (J.F.), [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3580. [Note not for inclusion in the *Official List* : The above nominal species is currently subjectively identified with [*Limax*] *opalus* Martyn, 1784 ; the specific name *opalus* Martyn, so published, is recommended in the present application for validation under the Plenary Powers.]

Cominella Gray (J.E.), 1850, *Figs. moll. Anim.* 4 : 72 (gender : feminine) (type species, by selection by Iredale (1918, *Proc. malac. Soc. Lond.* 13(1/3) : 34) : *Buccinum testudineum* Bruguière, [1789], *Ency. meth.*, Vers 1(1) : 266 (cited by Gray as *Buccinum testudineum* Quoy & Gaimard, 1832 (*Voy. "Astrolabe"* (Zool.) 2 : 415), a later usage of the name as introduced by Bruguière) [Note not for inclusion in the *Official List* : The above nominal species is subjectively identified with *Buccin[um] maculosum* Martyn, 1784 ; the specific name *maculosum* Martyn so published, is recommended in the present application for validation under the Plenary Powers.]

Cookia Lesson, 1832, *Illustr. Zool.* (5) : pl. 15 (gender : feminine) (type species by monotypy and through *Declaration 21 : Turbo sulcatus* Gmelin (J.F.), [1791])

Haustrum Perry, 1811, *Conchology* : expl. to pl. 14 & pl. 14 (gender : neuter) (type species, by selection by Iredale (1915, *Trans. N.Z. Inst.* 47 : 474) : *Haustrum zealandicum* Perry, 1811, *Conchology* : expl. to pl. 14 & pl. 14) [Note not for inclusion in the *Official List* : The above nominal species is currently identified with the older nominal species *Buccinum haustorium* Gmelin (J.F.), [1791].]

Maurea Oliver, [20th] December 1926, *Proc. malac. Soc. Lond.* 17(2/3) : 107, 108 (gender : feminine) (type species, by original designation : *Trochus tigris* Martyn, 1784 (a nominal species the oldest objectively available name for which is *Trochus tigris* Gmelin (J.F.), [1791])

(Note : For the relative priority of this name and of the name *Venustas* Finlay, 1927, see Part 2 of Annexe 4 to the present application.)

Mauriella Oliver, 1926, *Proc. malac. Soc. Lond.* 17 : 107, 109 (gender : feminine) (type species, by original designation : [*Trochus*] *punctulatus* Martyn, 1784, as proposed in the present application to be validated under the Plenary Powers)

Modelia Gray (J.E.), 1850, *Figs. moll. Anim.* 4 : 87 (gender : feminine) (type species, by monotypy : [*Trochus*] *granosus* Martyn, 1784, as proposed in the present application to be validated under the Plenary Powers)

Paua Fleming, 1952, *Trans. roy. Soc. N.Z.* 80(2) : 230 (gender : feminine) (type species, by original designation and through *Declaration 21 : Haliotis iris* Gmelin (J.F.), [1791])

Pellicaria Gray (J.E.), 1857, *Guide Syst. Distrib. Moll. Brit. Mus.* : 77 (gender : feminine) (type species, by monotypy : *Buccin[um] vermis* Martyn, 1784, as proposed in the present application to be validated under the Plenary Powers)

Struthiolaria Lamarck, 1816, *Ency. méth.*, Vers Coqu. Moll. Polyp. 1 : 173 (expl. to pl. 431) ; 3 : pl. 431, fig. 1a, b (gender : feminine) (type species, by monotypy : *Struthiolaria nodulosa* Lamarck, 1816, *Ency. méth.*, Vers Coqu. Moll. Polyp. 1 : 173 (expl. to pl. 431) 3 : pl. 431. [Note not for inclusion in the *Official List* : The above nominal species is currently identified with the older nominal species *Buccin[um] papulosum* Martyn, 1784 ; the specific name *papulosum* Martyn, so published, is recommended in the present application for validation under the Plenary Powers.]

**Part 2 : Seven generic names proposed to be placed
on the " Official Index of Rejected and Invalid
Generic Names in Zoology "**

Astraea Oken, 1815, *Lehrbuch Naturgesch.* 3(1) : v, 827 (a junior homonym of *Astraea* Röding, 1798)

Astraea Mohnike, 1873, *Arch. Naturgesch.* 39 : 166 (a junior homonym of *Astraea* Röding, 1798)

Astraea Hartman, 1881, *Cat. Partula* : 7 (a junior homonym of *Astraea* Röding, 1798)

Comminella Kittl, 1887, *Ann. Naturh. Hofmus. Wien* 2 : 250 (an Erroneous Subsequent Spelling of *Cominella* Gray, 1850)

Cookia Silvestri, 1896, *Nat. sicil. (n.s.)* 1 : 158 (a junior homonym of *Cookia* Lesson, 1832)

Lepsia Hutton, 1884, *Trans. N.Z. Inst.* 16 : 222 (a junior homonym of *Lepsia* Quoy, 1839, *Mag. Zool.* (2)1 : pl. 1)

Venustas Finlay, 10th March 1927, *Trans. N.Z. Inst.* 57 : 360 (a junior objective synonym of *Maurea* Oliver, 1926, the genera so named having the same species as type species by original designation)

(Note : For the relative priority of this name and of the name *Maurea* Oliver, 1926, see Part 2 of Annexe 4 to the present application.)

**Part 3 : Fourteen specific names proposed to be placed
on the " Official Index of Rejected and Invalid
Specific Names in Zoology "**

arabicum Martyn, 1784, *Univ. Conch.* 2 : 52, as published in the combination *Buccin[um] arabicum* (published in a work rejected for nomenclatorial purposes)

canaliculus Martyn, 1784, *Univ. Conch.* 2 : fig. 78, as published in the combination [*Mytilus*] *canaliculus* (published in a work rejected for nomenclatorial purposes)

crenata Martyn, 1784, *Univ. Conch.* 2 : fig. 69, as published in the combination [*Helix*] *crenata* (published in a work rejected for nomenclatorial purposes)

crenata Gmelin (J.F.), [1791], in Linnaeus, *Syst. Nat.* (ed. 13)1(6) : 3655, as published in the combination *Helix crenata* (rejected under the First Reviser Rule in Part 2 of Annexe 2 to the present application as a junior primary homonym of *crenata* Gmelin (J.F.), [1791], in Linnaeus, *ibid.* 1(6) : 3623, as published in the combination *Helix crenata*)

haustum Martyn, 1784, *Univ. Conch.* 1 : fig. 9, as published in the combination *Buccin[um] haustum* (published in a work rejected for nomenclatorial purposes)

iris Martyn, 1784, *Univ. Conch.* 2 : fig. 61, as published in the combination *Haliotis iris* (published in a work rejected for nomenclatorial purposes)

pacifica, Solander, 1786, *Cat. Portland Mus.* : 190, as published in the combination *Voluta pacifica* (a name widely cited in the literature but invalid because a *nomen nudum*)

purpurata Martyn, 1784, *Univ. Conch.* 2 : fig. 68, as published in the combination [*Limax*] *purpurata* (published in a work rejected for nomenclatorial purposes)

smaragdus Martyn, 1784, *Univ. Conch.* 2 : fig. 73, as published in the combination [*Helix*] *smaragdus* (published in a work rejected for nomenclatorial purposes)

smaragdus Gmelin (J.F.), [1791], in Linnaeus, *Syst. Nat.* (ed. 13) 1(6) : 3595, as published in the combination *Turbo smaragdus* (rejected under the First Reviser Rule in Part 1 of Annexe 2 to the present application as a junior primary homonym of *smaragdus* Gmelin (J.F.), [1791], in Linnaeus, *ibid.* 1(6) : 3602, as published in the combination *Turbo smaragdus*)

sulcatus Martyn, 1784, *Univ. Conch.* 1 : fig. 35, as published in the combination [*Trochus*] *sulcatus* (published in a work rejected for nomenclatorial purposes)

tigrinum Gmelin (J.F.), [1791], in Linnaeus, *Syst. Nat.* (ed. 13)1(6) : 3745, as published in the combination *Buccinum tigrinum* (a junior

objective synonym of *maculosum* Martyn, 1784, as published in the combination *Buccin[um] maculosum*, as proposed in the present application to be validated under the Plenary Powers)

tigris Martyn, 1784, *Univ. Conch.* **2** : fig. 75, as published in the combination *Trochus tigris* (published in a work rejected for nomenclatorial purposes)

vernix Gray (J.E.), 1857, *Guide Syst. Distrib. Moll. Brit. Mus.* : 77, as published in the combination *Pellicaria vernix* (an Erroneous Subsequent Spelling for *vermis* Martyn, 1784, as published in the combination *Buccin[um] vermis*)

Part 4 : Four names of family-group taxa having as their respective type genera genera specified in Part 1 of the present Annexe proposed to be placed on the " Official List of Family-Group Names in Zoology "

AMPHIBOLIDAE Adams (H.) & Adams (A.), 1855, *Gen. rec. Moll.* **2** : 268 (type genus : *Amphibola* Schumacher, 1817)

BUCCINULIDAE Finlay, 1928, *Trans. N.Z. Inst.* **59** : 250 (type genus *Buccinulum* Deshayes, 1830)

COMINELLINAE Fischer, 1884, *Man. Conchyl.* : 624 (type genus : *Cominella* Gray (J.E.), 1850)

STRUTHIOLARIIDAE Fischer, 1884, *Man. Conchyl.* : 677 (type genus : *Struthiolaria* Lamarck, 1816)

9. Submission to the International Commission in February 1957 of the revised proposals relating to the status to be accorded to the specific names for certain species of the Class Gastropoda as published in 1784 in the work by Thomas Martyn entitled " The Universal Conchologist " prepared by C. A. Fleming and four other New Zealand specialists : On 11th February 1957 the Secretary submitted to the International Commission the following note covering the revised proposals relating to the status to be accorded to the specific names for certain species of the Class

Gastropoda as published in 1784 by Thomas Martyn in the work entitled *The Universal Conchologist* prepared by Dr. C. A. Fleming and four other New Zealand specialists, the text of which has been reproduced in paragraph 8 of the present *Opinion* :—

Revised proposals by C. A. Fleming and four other New Zealand specialists for the stabilisation of the specific name for eighteen species of the Class Gastropoda currently known by names published by Thomas Martyn in 1784 in the work entitled “ The Universal Conchologist ”

By FRANCIS HEMMING, C.M.G., C.B.E.

(*Secretary to the International Commission on Zoological Nomenclature*)

The present paper is concerned with the second portion of an application submitted by C. A. Fleming and four other New Zealand specialists, the first portion of which contained a request for a Ruling that in the work entitled *The Universal Conchologist* published in 1784 Thomas Martyn did not apply the principles of binominal nomenclature, as required by Article 25, and therefore that the above work was not available for the purposes of zoological nomenclature. In the second part of this application the specialists concerned asked for the validation under the Plenary Powers of the specific names given in the above work to certain species of New Zealand Mollusca. The application in question was published in July 1952 in Part 9 of Volume 6 of the *Bulletin of Zoological Nomenclature* (Dell, Fleming and others, 1952, *Bull. zool. Nomencl.* 6 : 273—277). At the same time Public Notice of the possible validation of the foregoing names under the Plenary Powers was duly given in the prescribed manner.

2. A considerable amount of correspondence took place after the publication of the foregoing application. First, a number of American specialists, while not opposing the proposed validation of the names given by Martyn to New Zealand species, expressed the view that

consideration should be given also to the question of the validation of the names published by Martyn in the same work for certain American West Coast species. The procedure to be followed in regard to this aspect of the question has been settled by an arrangement made with the American specialists concerned under which they will themselves submit the requisite application to the Commission. Second, a letter dated 1st April 1954 was received from Professor Harold E. Vokes (then of the *Johns Hopkins University, Baltimore, Maryland, U.S.A.*, now of the *University of Tulane, Department of Geology, New Orleans, Louisiana, U.S.A.*) containing detailed criticisms of the proposals submitted in this application in relation to the individual names there listed. Professor Vokes' criticisms were communicated to the applicants and extensive correspondence then ensued. I hoped originally that it would be possible for the applicants to furnish material in sufficient time in order to permit of the submission to the Commission of a Voting Paper relating to the proposed validation of the names for the New Zealand Mollusca concerned simultaneously with the submission of a Voting Paper on the prior question of the status to be accorded to Martyn's book. By the end of 1955, however, there seemed to be no immediate prospect of my being able to lay before the Commission the data required to enable it to reach decisions in regard to the individual names involved in this case. I accordingly decided that the proper course would be to seek an immediate decision from the Commission on the general question of the status of *The Universal Conchologist*, while reserving for later submission the portion of the original application which was concerned with individual names. Accordingly, on 27th January 1956 I submitted a memorandum (bearing the Registered Number Z.N.(S.) 634) to the Commission on this subject, together with a Voting Paper (V.P.(56)4). As the result of the vote so taken the Commission rejected the foregoing work for nomenclatorial purposes and placed its title on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature*.¹ The decision so taken has since been embodied in *Opinion* 456 (now in the press).

3. While the foregoing action was being taken, correspondence continued between this Office and the New Zealand specialists on the issues raised by the criticisms advanced by Professor Vokes (paragraph 2 above), the object of the applicants being to determine the extent to which it would be possible for them to modify their original proposals to meet those criticisms without prejudicing the principal purpose of that application, namely the maintenance for the species concerned of the long-established names given to them by Martyn or the use for those species of names so similar that the change in spelling involved would be unlikely to lead to serious confusion or difficulty. The revised New Zealand application prepared from the foregoing point of view, has now been received and is attached to the present note as Appendix

¹ *Opinion* 456 was published on 15th March 1957 (*Ops. Decls. int. Comm. zool. Nomencl.* 15 : 393—418).

1.² In preparing this revision of their earlier application, the New Zealand specialists have taken the opportunity of filling in certain gaps in their original proposal by including recommendations (a) for the addition to the *Official List*, in cases where the species, the names of which are concerned in their proposals, are the type species of genera, of the names of those genera, and (b) for the addition to the *Official List* of any corresponding family-group names which may be involved.

4. The differences between the present and the original application may be summarised as follows :—

(1) In the original application the Commission was asked to validate eighteen specific names as from Martyn, 1784.

(2) Professor Vokes objected to all of these proposals and in addition drew attention to the fact that in certain cases the next author to deal with the species concerned used for it the name introduced by Martyn. As will be seen from (3) below the points raised by Professor Vokes have been met in the present revised application in the case of one half of the names concerned. As regards the remaining names, the views expressed by Professor Vokes are given in the extract from his letter of 1st April 1954 reproduced in Appendix 2³ to the present paper.

(3) In the present revised application, it is proposed :—

(a) that in seven cases the species concerned should be known by the same name as that given to it by Martyn but that that name should be attributed to Gmelin, ([1791]) (by whom it was first validly published) instead of to Martyn, (1784) ;

(b) that in two cases the species concerned should be known by a name very similar to that used by Martyn, the name so to be used being in each case a name published by Gmelin in [1791] ;

² The revised application which was submitted as Appendix 1 to the present paper has been reproduced in paragraph 8 of the present *Opinion*.

³ Professor Vokes's letter, an extract from which was submitted as Appendix 2 to the present paper has been reproduced in full in paragraph 6 of the present *Opinion*.

- (c) that in the case of the remaining nine cases dealt with in the original application the name, as published by Martyn in 1784 should, as there proposed, be validated under the Plenary Powers, since otherwise the species concerned which have been known by Martyn's names for many decades would need in future to be known by some unaccustomed name.

5. It will be seen therefore that in the case of half of the names included in the original application the New Zealand zoologists have met the criticisms advanced by Professor Vokes, even though this means that the familiar names in question will in future need to be attributed to an unaccustomed author and to be cited from a different date and, in two cases, will need to be used with a different spelling. It is only in those cases where the application of the normal provisions in the *Règles* would lead to a change of name for a common and well-known species that the request for the use of the Plenary Powers to validate the name used by Martyn is now renewed.

6. The specific proposals now submitted by the New Zealand zoologists are set out in paragraph 12 of their revised application reproduced in Appendix 1 to the present paper⁴. These are the proposals on which the International Commission is now asked to vote.

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

10. Issue of Voting Paper V.P.(O.M.)(57)1 : On 1st February 1957 a Voting Paper (V.P.(O.M.)(57)1) was issued in which the Members of the Commission were invited to vote either for, or against, " the proposal relating to the proposed validation under the Plenary Powers of the specific names for certain New Zealand species of the Phylum Mollusca originally published by Martyn (T.) in 1784 in the work entitled *The Universal Conchologist*

⁴ See Footnote 2.

and matters associated therewith as set out in paragraph 12 of the application by C. A. Fleming and other New Zealand specialists attached as Appendix 1 to the paper bearing the Registered Number Z.N.(S.) 1053 submitted by the Secretary simultaneously with the present Voting Paper ” [i.e. in the paragraph numbered as above in Appendix 1 attached to the paper reproduced in (paragraph 9 of the present *Opinion*) :—

11. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the One-Month Rule, the Prescribed Voting Period closed on 1st March 1957.

12. Particulars of the Voting on Voting Paper V.P.(O.M.)(57)1 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(O.M.)(57)1 was as follows :—

(a) *Affirmative Votes had been given by the following twenty-one (21) Commissioners (arranged in the order in which Votes were received) :*

Sylvester-Bradley ; Vokes ; Lemche ; Holthuis ; Hering ; Prantl ; Riley ; Mayr ; Boschma ; Esaki ; Jaczewski ; Stoll ; Mertens ; Key ; Dymond ; Hemming ; Kühnelt ; Bonnet ; Bodenheimer ; do Amaral ; Tortonese ;

(b) *Negative Votes :*

None ;

(c) *On Leave of Absence, two (2) :*

Bradley (J.C.) ; Cabrera ;

(d) *Prevented from voting by interruption of postal communications consequent upon political disturbances, one (1) :*

Hankó ;

(e) *Voting Papers not returned, one (1) :*

Miller.

13. Declaration of Result of Vote : On 12th March 1957, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(O.M.)(57)1, signed a Certificate that the Votes cast were as set out in paragraph 12 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

14. Preparation of the Ruling given in the present “ Opinion ” : On 25th April 1957 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(O.M.)(57)1.

15. Original References : The original references for the nine specific names published in 1784 in the work by Thomas Martyn entitled *The Universal Conchologist* placed on the *Official List of Specific Names in Zoology* by the Ruling given in the present *Opinion* are as set out in the table annexed to the application reproduced in paragraph 1. The original references for the nine specific names published in the same work and placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* by the Ruling given in the present *Opinion* are also set out in the table referred to above. The original references for the nine specific names published by Gmelin (J. F.) and placed on the

Official List of Specific Names in Zoology by the Ruling given in the present *Opinion* are set out in Annexe 3 to the paper reproduced in paragraph 8. The original references for the other names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* are set out in the under-mentioned parts of Annexe 5 of the paper reproduced in paragraph 8 : (a) generic names placed on the *Official List*, in Part 1 ; (b) generic names placed on the *Official Index*, in Part 2 ; (c) specific names placed on the *Official Index*, in Part 3 ; (d) family-group names placed on the *Official List*, in Part 4.

16. In the case of the five names of genera, the type species of which were determined by selection under Rule (g) in Article 30, placed on the *Official List of Generic Names in Zoology* by the Ruling given in the present *Opinion*, the original references for the type selections concerned are given in Part 1 of Annexe 5 to the paper reproduced in paragraph 8 of the present *Opinion*.

17. At the time of the submission of the present application the name applicable to the second portion of a binomen was "trivial name". This was altered to "specific name" by the Fourteenth International Congress of Zoology, Copenhagen, 1953, which at the same time made corresponding changes in the titles of the *Official List* and *Official Index* of names of this category. These changes in terminology have been incorporated in the Ruling given in the present *Opinion*.

18. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary of the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

19. The present *Opinion* shall be known as *Opinion* Four Hundred and Seventy-Nine (479) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-fifth day of April, Nineteen Hundred and Fifty-Seven.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING